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Promotion and protection of the rights of children: promotion and protection of the rights of children

Canada, Iceland, Italy, Mongolia, Netherlands, Peru, United Kingdom of Great Britain and Northern Ireland and Zambia: draft resolution

Child, early and forced marriage

The General Assembly,

Reaffirming its resolution 69/156 of 18 December 2014 on child, early and forced marriage,

Recalling its resolutions 70/138 of 17 December 2015 on the girl child and 69/147 of 18 December 2014 on the intensification of efforts to eliminate all forms of violence against women and girls, as well as Human Rights Council resolution 29/8 of 2 July 2015, entitled "Strengthening efforts to prevent and eliminate child, early and forced marriage",[1] and all other previous resolutions relating to child, early and forced marriage,

Guided by the Universal Declaration of Human Rights,[2] the International Covenant on Economic, Social and Cultural Rights[3] and the International Covenant on Civil and Political Rights,[3] as well as other relevant human rights instruments, including the Convention on the Rights of the Child[4] and the Convention on the Elimination of All Forms of Discrimination against Women,[5] together with the relevant Optional Protocols thereto,[6]

[1] *See Official Records of the General Assembly, Seventieth Session, Supplement No. 53* (A/70/53), chap. V.
[2] Resolution 217 A (III).
[3] See resolution 2200 A (XXI), annex.
[4] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[5] Ibid., vol. 1249, No. 20378.
[6] Ibid., vols. 2171 and 2173, No. 27531, and resolution 66/138, annex; and United Nations, *Treaty Series*, vol. 2131, No. 20378.

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Reaffirming the Vienna Declaration and Programme of Action,[7] as well as the Programme of Action of the International Conference on Population and Development,[8] the Beijing Declaration and Platform for Action[9] and the outcome documents of their review conferences,

Reaffirming the agreed conclusions adopted by the Commission on the Status of Women at its fifty-eighth[10] and sixtieth[11] sessions,

Welcoming the adoption of the outcome document of the United Nations summit for the adoption of the post-2015 development agenda, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",[12] and noting in particular target 5.3 to eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation,

Welcoming the United Nations Population Fund-United Nations Children's Fund Global Programme to Accelerate Action to End Child Marriage, launched in March 2016, as well as regional, national and subnational initiatives to end child, early and forced marriage, including the African Union Campaign to End Child Marriage and the Regional Action Plan to End Child Marriage in South Asia, and further encouraging coordinated approaches to action at all levels,

Taking note with appreciation of the report of the Secretary-General,[13]

Deeply concerned about the continued prevalence of child, early and forced marriage worldwide, including the fact that there are still approximately 15 million girls married every year before they reach 18 years of age and that more than 720 million women and girls alive today were married before their eighteenth birthday,

Recognizing that child, early and forced marriage is a harmful practice that violates, abuses and impairs the enjoyment of human rights, causes and perpetuates other harmful practices and human rights violations and is a form of violence against women and girls and that such violations have a disproportionately negative and wide-ranging impact on women and girls, and underscoring the human rights obligations and commitments of States to promote and protect the human rights and fundamental freedoms of women and girls and to prevent and eliminate the practice of child, early and forced marriage,

Recognizing also that deep-rooted gender inequalities, norms and stereotypes and harmful practices, perceptions and customs are obstacles to the full enjoyment of human rights and the empowerment of all women and girls and are among the primary causes of child, early and forced marriage and that the persistence of child, early and forced marriage places children, in particular girls, at greater risk of being

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[7] A/CONF.157/24 (Part I), chap. III.

[8] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[10] *Official Records of the Economic and Social Council, 2014, Supplement No. 7* (E/2014/27), chap. I, sect. A.

[11] Ibid., *2016, Supplement No. 7* (E/2016/27), chap. I, sect. A.

[12] Resolution 70/1.

[13] A/71/253.

exposed to and encountering various forms of discrimination and violence throughout their lives,

Recognizing further that poverty, lack of education, conflict and humanitarian crises are among the exacerbating factors that can contribute to the practice of child, early and forced marriage and that child, early and forced marriage remains common in rural areas and among the poorest communities, and recognizing that the immediate alleviation and eventual eradication of extreme poverty must remain a high priority for the international community,

Recognizing that child, early and forced marriage undermines women's and girls' autonomy and decision-making in all aspects of their lives, including their sexual and reproductive health and rights, in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action[14] and the outcome documents of their review conferences, and that the empowerment of and investment in women and girls, as well as their full, equal and effective participation at all levels of decision-making, are key factors in breaking the cycle of gender inequality and discrimination, violence and poverty and are critical, inter alia, for sustainable development, peace, security, democracy and inclusive economic growth,

Recognizing also that raising awareness of the harmful consequences of child, early and forced marriage, and engaging with men and boys, can contribute to promoting social norms that support efforts by girls and their families to delay the age of marriage,

Noting with concern that child, early and forced marriage disproportionally affects girls who have received little or no formal education and is itself a significant obstacle to educational opportunities for girls and young women, in particular girls who are forced to drop out of school owing to marriage, pregnancy and/or motherhood,

Recognizing that child, early and forced marriage constitutes a serious threat to multiple aspects of the physical and psychological health of women and girls, including but not limited to their sexual and reproductive health, significantly increasing the risk of early, frequent and unintended pregnancy, maternal and newborn mortality and morbidity, obstetric fistula and sexually transmitted infections, including HIV/AIDS, as well as increasing vulnerability to all forms of violence, which inflicts mental harm and suffering that can impact their physical health further and over the course of their lives,

Recognizing also that women and girls are more vulnerable to sexual and gender-based violence and exploitation and that child, early and forced marriage can increase during humanitarian crises and situations of forced migration, especially in situations of conflict, natural disaster and displacement, and that this issue is not being adequately addressed and requires coordinated action at the early stages of emergencies and humanitarian crises, in addition to more research to support effective interventions and strong protection measures and infrastructure to address increased vulnerability of girls to violence, sexual assault and poverty,

[14] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

1. *Calls upon* States, with the participation of relevant stakeholders, including women and girls, parents, families, religious, traditional and community leaders, civil society, girls' organizations, feminist, youth and human rights groups, men and boys, the media and the private sector, to develop and implement holistic, comprehensive and coordinated responses and strategies to eliminate child, early and forced marriage, to support married, separated, divorced and widowed girls, adolescents and women who were married as girls, girls fleeing the threat or situations of child, early and forced marriage and women and girls in informal unions, including through the strengthening of child protection systems, protection mechanisms, access to services and the sharing of best practices across borders;

2. *Also calls upon* States to ensure that women and girls have equal rights in law and in practice with men and boys in all matters pertaining to marriage, divorce, child custody, citizenship, property and inheritance and the economic consequences of marriage and its dissolution, including laws and policies aimed at preventing and ending child, early and forced marriage and protecting those at risk, to ensure that marriage is entered into only with the informed, free and full consent of the intending spouses and to amend discriminatory laws and policies such as those exempting punishment for perpetrators of rape, sexual abuse or abduction who marry their victims or those that allow for marital rape;

3. *Further calls upon* States to require and enforce birth and marriage registration, including by identifying and removing all physical, administrative, procedural and any other barriers that impede access to registration, especially for individuals living in rural and remote areas, and by providing, where lacking, mechanisms for the registration of customary and religious marriages;

4. *Urges* States to enact, build awareness of, enforce and uphold a minimum age of marriage law, to progressively amend laws, including customary law, with lower ages of marriage and/or age of majority to bring them towards the age of 18, to harmonize laws, including customary, religious, subnational and local laws and in federal systems and to encourage local authorities to raise the minimum age and implement the law;

5. *Calls upon* States to promote the meaningful participation and active consultation of children and young people, including girls, in all issues affecting them and to create awareness about their rights, including the negative impact of child, early and forced marriage, inter alia, through child-friendly safe spaces and peer groups, forums and support networks that provide girls and boys with information, life skills and leadership skills training and provide opportunities to be empowered, to express themselves, to participate in decision-making and to become agents of change within their communities;

6. *Also calls upon* States and encourages other stakeholders to address social norms, gender stereotypes and harmful practices that contribute to the acceptance and continuation of the practice of child, early and forced marriage, including by raising awareness within communities of its harm to the victims and the cost to society at large and by providing opportunities for discussion among others, within communities, including with the involvement of unmarried girls and already married girls, adolescents and women, religious, traditional and community

leaders, men and boys, parents and families on the benefits of delaying marriage and ensuring that girls receive an education;

7. *Further calls upon* States to promote and protect the right of women and girls to education through enhanced emphasis on free, equitable and quality primary and secondary education, including catch-up and literacy education for those who have not received formal education or have left school early, including because of marriage and/or childbearing, which empowers young women and girls to make informed decisions about their lives, employment, economic opportunities and health, including through scientifically accurate age-appropriate comprehensive sexuality education, relevant to cultural contexts, that provides adolescent girls and boys and young women and men, in and out of school, consistent with their evolving capacities, with information on sexual and reproductive health;

8. *Urges* States to prevent and eliminate child, early and forced marriage by removing barriers to education, including by ensuring married and/or pregnant girls and mothers continue to have access to schooling, improving access to formal education and skills development for those living in remote or insecure areas, improving the safety of girls at and on the way to and from school, providing safe, and adequate sanitation, including for menstrual hygiene management, and adopting policies to prohibit, prevent and address violence against children, especially girls, including sexual harassment and bullying and other forms of violence;

9. *Urges* Governments, with the collaboration of relevant stakeholders, to tackle poverty and lack of economic opportunities for women and girls as drivers of child, early and forced marriage, including by ensuring women's and girls' equal access to economic assets and social protection, including direct financial support and microcredit for girls, families and guardians to encourage girls to continue their education, to develop livelihood opportunities through access to technical and vocational education and training and life skills education, including financial literacy and to promote women's equal access to full and productive employment and decent work, as well as equal political participation;

10. *Urges* States to ensure access to justice and accountability mechanisms and remedies for the effective implementation and enforcement of laws aimed at preventing and eliminating child, early and forced marriage, including by informing women and girls about their rights under relevant laws, training law enforcement officers and professionals working with children and monitoring how they handle cases of child, early and forced marriage, improving legal infrastructure and removing all barriers to access to legal counselling, assistance and remedies;

11. *Urges* Governments to promote and protect the right of all women and girls to the highest attainable standard of physical and mental health through the development and enforcement of policies and legal frameworks and the strengthening of health systems, including health information systems, that make universally accessible and available quality, gender-responsive, child and adolescent-friendly health services, comprehensive sexual and reproductive health-care services, information and commodities, HIV and AIDS prevention, treatment and care, mental health services and nutrition interventions;

12. *Also urges* Governments to promote and protect the human rights of all women and girls, including their right to have control over and decide freely and

responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, and to adopt and accelerate the implementation of laws, policies and programmes that protect and enable the enjoyment of all human rights and fundamental freedoms, including reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development,[8] the Beijing Platform for Action[14] and the outcome documents of their review conferences;

13. *Urges* States and other relevant actors to involve girls from the early stages of humanitarian crisis situations and throughout situations of protracted displacement and incorporate their issues in assessments and planning, integrate prevention of gender-based violence and child, early and forced marriage and support for married girls across sectors, including health and education, in any humanitarian response from the early stages of crises, with strong protection measures and infrastructure to address increased vulnerability of girls to violence, sexual assault and poverty and conduct further research on child, early and forced marriage in humanitarian situations to understand how programmes can be adapted to such settings;

14. *Encourages* relevant United Nations entities and agencies, regional and subregional organizations, civil society and other relevant actors and human rights mechanisms to continue to collaborate with and support Member States in developing and implementing strategies and policies at the national, regional and international levels to prevent and eliminate child, early and forced marriage, as well as to support already married girls, adolescents and women;

15. *Affirms* the need for States to improve the collection and use of quantitative, qualitative and comparable data on violence against women and harmful practices, disaggregated by sex, age, disability, civil status, race, ethnicity, migratory status, geographical location, socioeconomic status, education level and other key factors, improve research and dissemination of evidence-based and good practices relating to the prevention and elimination of child, early and forced marriage and strengthen monitoring and impact assessment of existing policies and programmes as a means of ensuring their effectiveness and implementation;

16. *Urges* Governments to contribute to accountability on ending child, early and forced marriage by reporting on progress to eliminate child, early and forced marriage through relevant reporting mechanisms, such as international treaty monitoring bodies and the national voluntary reviews conducted through the high-level political forum on sustainable development;

17. *Requests* the Secretary-General to submit a comprehensive report to the General Assembly, before the end of its seventy-second session, on progress made towards ending child, early and forced marriage and action-oriented recommendations for eliminating this practice, recognizing the linkages between ending child, early and forced marriage and other goals and targets agreed upon in the 2030 Agenda for Sustainable Development,[12] using information provided by Member States, United Nations bodies, agencies, funds and programmes, civil society and other relevant stakeholders;

18. *Also requests* that the Secretary-General host a high-level panel to contribute to the above-mentioned report, at the sixty-second session of the

Commission on the Status of Women, and that he include Member States, United Nations bodies, agencies, funds and programmes, civil society, and other relevant stakeholders, especially adolescent girls, in the panel discussion;

19. *Decides* to consider the issue of child, early and forced marriage at its seventy-third session under the item entitled "Promotion and protection of the rights of children", taking into account the multifaceted and worldwide nature of the issue of child, early and forced marriage.